

*REMARKS/ARGUMENTS*

In response to the Office Action dated May 12, 2010, Applicants amend their application and request continued examination. In this Amendment, claims 4-12 and 16 are newly cancelled leaving claims 1-3, 15, and 17-27 pending.

In this Amendment claim 1 is amended by adding to it the limitation of claim 5 along with a further limitation taken from claim 2 to avoid any issue as to antecedent basis. A similar amendment is made with respect to claim 15 by combining the limitation of claim 16 with claim 15. As explained below, these amendments are directed to issues of form rather than substance. The amendment requires the cancellation of claim 16. Somewhat similar amendments are made to independent claims 25-27.

In the Office Action dated May 12, 2010, the Examiner stated that claims 4-12 and 15-25 were allowable subject to overcoming a rejection as to form that is discussed below. Since claims 15-23 are very similar to claims 14-12, claims 4-12 are cancelled in favor of claims 15 and 17-23.

*Rejection as to Form*

Previously examined claims 1-12 and 15-27 were rejected as indefinite in view of an alleged uncertainty in the use of the term "point." A similar previous rejection with regard to the term "pinpoint contact" has been withdrawn, but, in essence, maintained pursuant to the second paragraph of 35 USC 112, rather than the first paragraph. The Examiner has taken the view that there is a difference between a "large point" and a "small point." Respectfully, Applicants suggest the Examiner's intransigence with respect to the definition of the term "point" at odds with common usage of the word and the disclosure of the patent application.

Nevertheless, to advance the prosecution, each of the independent claims now includes a description similar to former claims 5 and 16, if not identical to those limitations. This further description states that the roller side surface has a convex

shape whereas the surface of the rail that is contacted by that convex shape is substantially planar. Thus, this description explains the “point contact” or “pinpoint contact” that appears in the patent application. The point contact resulting from contact between a planar surface and a convex surface is apparent to anyone of even modest skill in the mechanical or geometrical arts. Further, the claims are amended so that no longer is there any express description of contact “only at one point at a time” or similar language. The change in language in the claims is made solely in response to the issue as to form so that the prosecution may advance. The changed language is not a disclaimer of any characteristic or feature of the invention but merely an attempt to conclude the prosecution successfully.

Further, as explained in the patent application, the point-like contact, which is a feature of the invention, can be achieved by a wide variety of combinations of surface shapes. For example, a convex roller surface and a convex rail side surface can produce the same result as a planar rail side surface and a convex roller surface. Thus, the convex roller surface and the planar rail side surface is merely an example of a structure within the scope of the invention and producing points of contact.

In view of the amendments made in response to the issue as to form, claims 15 and 17-25 should be immediately allowed.

#### *Prior Art Rejection*

Claims 1-3, 5, 26, and 27 were rejected as unpatentable over Andre et al. (U.S. Patent 7,228,803, hereinafter Andre) in view of Jensen (U.S. Patent 6,523,480). This rejection is respectfully traversed, particularly with respect to the claims presented here.

As an initial matter, Applicants object to the Examiner’s interpretation of the claim language. As stated previously, according to the Office Action, “the examiner will interpret ‘point’ to mean some amount of surface contact less than significantly complete contact between the wheel surface and rail..”. Applicants protest this interpretation, because the interpretation is limitless, inconsistent with the definition

and understanding in the art of the word “point,” and is unreasonable in view of the disclosure of the present patent application. The term “significantly complete contact” is meaningless because its metes and bounds of that phrase are unknown and unknowable.

In any event, the language which the Examiner asserted was of such great elasticity in the formerly pending claims does not exist in the claims that are now presented.

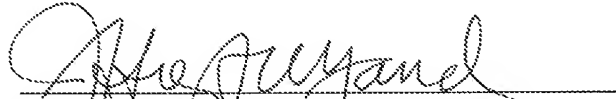
Applicants respectfully disagree that the contact area between a roller and a rail, for example, as shown in Figure 5 of Andre, is any way comparable to a point of contact as in the invention. In the invention, that point of contact is achieved between a roller with a convex contact area and a substantially planar side surface of the rail.

In Andre, the roller surface that contacts the side surface of the rail is concave, not convex. See, for example, Figures 2-5 of Andre. Because of this concavity in Andre, the surfaces of the rail and side roller that cooperate with each other are shaped so that the roller surface wraps around the rail surface. As a result of this design, as known to one of ordinary skill in geometry, there cannot be a point of contact or a contact point between the side surface of the rail and the concave surface of the roller. Again, attention is directed to Figures 4 and 5 of Andre. Therefore, to the extent still pertinent, in view of the amendment of the claims, Andre does not support the proposition for which it was cited. Even the elastic definition given by the Examiner to the term “point” does not support the proposition for which Andre was cited.

Since the feature of each of the rejected independent claims regarding the convex roller and the substantially planar side surface of the rail is not met by Andre, those claims cannot be rejected based upon Andre alone. Jensen, the secondary reference, was cited for an entirely different proposition. Jensen does not supply the structure to Andre that distinguishes claims 1, 26, and 27 from Andre. Therefore, further comment with respect to Jensen is neither necessary nor provided. The combination of Andre and Jensen cannot establish *prima facie* obviousness as to any of claims 1, 26, and 27, and therefore as to claims 2 and 3.

Reconsideration, withdrawal of all rejections, and allowance of the remaining claims, claims 1-3, 15, and 17-24, are earnestly solicited.

Respectfully submitted,



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